

1
2
3
4
FILED

5 NOV - 6 2009

6 RICHARD W. WIEKING
7 CLERK, U.S. DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 Elizabeth Medrano, on behalf of herself and all
14 others similarly situated,

No. C08-00872JF

15 Plaintiffs,

16 v.
17 Romos Auto Group, LLC,
18 Defendant.

19 **Report and Recommendation on Motions
(1) For Final Approval of Class Action
Settlement and Entry of Judgment and (2)
For Award of Attorneys' Fees and Costs**

20 Upon a referral from Judge Jeremy Fogel, and with the consent of the parties, the
21 undersigned heard on November 6, 2009 motions for final approval of the class settlement and
22 entry of judgment and for an award of attorneys' fees and costs to plaintiffs' attorneys.

23 The court invited anyone who wished to object to the settlement to come forward and be
24 heard. No one did.

25 Having fully considered the moving papers, and having personally hosted the two
26 formal settlement conferences that culminated in the agreement to settle, the undersigned reports
27 as follows:

- 28 1. That proper notices were given to the class members, and no one timely opted out or
submitted objections;
2. That the settlement was an arm's length agreement hammered out by competent
counsel vigorously representing their respective client's interests;
3. That in the undersigned's opinion the settlement is fundamentally fair, adequate and
reasonable; and

1 4. That the \$75,000 requested by plaintiffs' attorneys is less than their substantiated
2 lodestar amount and not more than the amount defendant agreed would not be objectionable.

3 Accordingly, the undersigned recommends that Judge Jeremy Fogel grant the motions
4 and sign the proposed order previously submitted (amended slightly to acknowledge this report
5 and recommendation).

6
7 SO RECOMMENDED.
8
9
10
11 DATED: November 6, 2009
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Magistrate Judge Howard R. Lloyd

1 **THIS SHALL CERTIFY THAT A COPY OF THIS NOTICE WAS PROVIDED TO:**

4 Dori Adrienne Rose Inda dorir@watsonvillelawcenter.org

5 Dori Rose Inda dorir@watsonvillelawcenter.org

6 Henry W. Martin henrym@watsonvillelawcenter.org

7 Jeffrey J.A. Hinrichsen jhinrichsen@tharpe-howell.com, kleslie@tharpe-howell.com

8 Randall Edmans Willoughby rew@wsblaw.net, dal@wsblaw.net, gwd@wsblaw.net,
pmb@wsblaw.net

9 Roy Lin rlin@scu.edu

10 Scott C. Maurer smaurer@scu.edu

11 William Eric Kennedy willkennedy@pacbell.net